

**CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
Tuesday, May 22, 2007, 9:00 a.m.
City Hall Conference Room
300 North Loraine
Midland, Texas**

These items, as well as any other items on the regular posted agenda for the City Council Meeting on this date, may be discussed:

- ❖1. Discuss Stop Sign Studies and Traffic Analysis update.

AGENDA FOR CITY COUNCIL MEETING

Tuesday, May 22, 2007 – 10:00 a.m.

Council Chamber – City Hall

The Midland City Council agenda is posted for public notice at least 72 hours prior to the Tuesday meetings. All requests to be placed on the Council agenda by the public must be submitted to the City Manager, in writing, at least one week before the Council meetings. Such written requests must be in sufficient detail to identify the subject matter as well as the contact person who will represent the matter before the Council. The City Council reserves the right to not consider matters over which the City has no jurisdiction.

❖Item related to City Council goals

1. Invocation – Reverend Gilbert Williams, True Lite Christian Fellowship Church
2. Pledge of Allegiance

MISCELLANEOUS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
 - a. Presentation of Resolution of Commendation to retiring City employee John Urby.
 - b. Presentation of Resolution of Commendation to retiring City employee Robert Glover.

CONSENT AGENDA

4. Consider a motion approving minutes of the May 8, 2007 City Council Meeting.

5. Consider a resolution authorizing the purchase of thirty-five (35) emergency vehicle lightbars.
6. Consider a resolution authorizing the purchase of nine (9) truck cab & chassis from Witt International Trucks, Incorporated, of Midland, Texas.
7. Consider a resolution authorizing the transfer of funds from the “Construct Runway 16R/34L Shoulders Project” to the “Security System Upgrade Project” at Midland International Airport.
8. Consider a resolution authorizing the execution of a 50-foot utility and drainage easement located in Section 14, Block 39, T-1-S, T & P RR Co. Survey, City and County of Midland, Texas; and ordering recordation by the City Secretary.
- ❖9. Consider a resolution authorizing the acceptance of a grant award from Western National Bank for a Federal Home Loan Bank Affordable Housing Program; and authorizing the execution of grant documents; and appropriating funds.
- ❖10. Consider a resolution authorizing an application submitted by CIS Palermo Homes, L.P., for home funds from the Texas Department of Housing and Community Affairs.
- ❖11. Consider a resolution authorizing the execution of an agreement for the temporary closure of state right of way with the State of Texas for use of a state owned highway, including Spur 269 between Main Street and Colorado Street, for the purposes of the 2007 Shades of Blues Festival.
- ❖12. Consider a resolution authorizing the execution of an agreement for the temporary closure of state right of way with the State of Texas for use of a state owned highway, including Spur 269 between Main Street and Colorado Street, for the purposes of the Margarita and Salsa Festival 2007.

- ❖13. Consider a resolution authorizing the execution of a contract with Red River Construction Company for construction of the new Edgewood Booster Pump Station and also including cleaning and modification to the ground storage tanks, plus piping, valves, metering and instrumentation; and appropriating funds.
- 14. Consider a resolution accepting a grant award from the Texas Alcoholic Beverage Commission to be used by the Midland Police Department to combat underage drinking; authorizing the execution of acceptance documents; and allocating grant funds.
- 15. Consider a motion to approve the proposed preliminary plat of Quail Ridge, Section 2 being a replat of Lot 1, Block 1, Quail Ridge Addition; a 8.073-acre portion of Tract 25, Parker Acres; and a 5.588-acre tract of land out of Section 42, Block 38, T-1-S, T&P RR Co. Survey, City of Midland, Midland County, Texas. (Generally located on the northwest corner of the intersection of Business 20 and Chukar Lane.)
- 16. Consider a resolution authorizing the Office of the City Attorney to file all documents, employ all necessary experts and make all necessary appearances to represent the City of Midland in a lawsuit styled, Midland Central Appraisal District v. Jose Tapia, Melinda Tapia, et al, in the 142nd Judicial District Court, Midland County, Texas, Cause No. TX 11,423.
- 17. Consider a resolution authorizing the law firm of Taylor, Olson, Adkins, Sralla & Elam, L.L.P., to file all documents, employ all necessary experts and make all necessary appearances to represent the City of Midland in a lawsuit styled Endeavor Energy Resources, L.P. v. City of Midland, in the 142nd Judicial District Court, Midland County, Texas, Cause No. CV 45,942.
- 18. Consider a resolution approving plans and specifications and authorizing advertisement for competitive bids for a new roof at City Hall.
- 19. Consider a resolution authorizing the filing of a formal complaint and all related documents with the Railroad Commission of Texas against Heritage Standard

Corporation regarding the City's T-Bar Ranch Well Field located in Winkler County, Texas.

SECOND READINGS

20. Consider an ordinance on second reading on a request by Commercial State Bank for a Planned District Site Plan Review on Lots 2A & 3A, Block 11, Kimber-Lea, Twelfth Section, City and County of Midland, Texas. (Generally located on the east side of N. Midkiff Road, approximately 470 feet north of Maxwell Drive.)
21. Consider an ordinance on second reading on a request by Cracker Barrel Old Country Store, Inc. for a Planned District Site Plan Review on Lots 8 and 9, Block 27, Wyndwood Estate, Section 26, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of N. Loop 250 West and Preston Drive.)
22. Consider an ordinance on second reading on a city-initiated request to amend Section 11-1-7(K) of the Municipal Code for the City of Midland, Texas regarding building over a platted lot line.
23. Consider an ordinance on second reading vacating and abandoning the 10 foot by 150 foot portion of Pecos Street right-of-way adjoining Lots 10, 11 & 12, Block 58, Original Town, City and County of Midland, Texas; adopting the appraisal by the City Manager of \$6,000.00; and ordering recordation by the City Secretary.
24. Consider an ordinance on second reading establishing an authorized emergency vehicle only parking zone on the south side of a portion of Ohio Avenue; declaring any vehicle in violation of the provisions of this ordinance a nuisance and providing for the removal of same; authorizing appropriate signs and markings; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two hundred dollars (\$200.00); and ordering publication.

25. Consider an ordinance on second reading amending the official municipal budget for Fiscal Year 2006-2007.

PUBLIC HEARINGS

26. At 11:00 a.m. hold a public hearing and consider an ordinance on a request by HEB Grocery, Inc. for a zone change from LR-2, Local Retail District, to PD, Planned District for a Shopping Center on a 2.659-acre portion of Block 8, Hyde Park Addition; on Lot 3, Block 15, Hyde Park Addition, Section Four; and on Lot 4, Block 15, Hyde Park Addition, Section Five, City and County of Midland, Texas. (Generally located near the southwest corner of the intersection of W. Wadley Avenue and N. Midkiff Road.)
27. At 11:03 a.m. hold a public hearing and consider an ordinance on a request by West Company of Midland, Inc. / Quail Ridge for a zone change from AE, Agriculture Estate District, to PD, Planned District for a Housing Development on of Lot 1, Block 1, Quail Ridge Addition; a 8,073-acre portion of Tract 25, Parker Acres; and a 5.588-acre tract of land out of Section 42, Block 38, T-1-S, T&P RR Co. Survey, City of Midland, Midland County, Texas. (Generally located on the northeast corner of the intersection of Business 20 and Chukar Lane.)
28. At 7:00 p.m. hold a public hearing on the 2007/2008 Community Development Block Grant Funds.

DEVELOPMENT SERVICES

29. Consider an ordinance vacating and abandoning a 0.27-acre tract of right-of-way adjoining Block H, Montgomery Addition, City and County of Midland, Texas; and ordering recordation by the City Secretary.
30. Consider an ordinance amending the Fire District so as to delete therefrom Lot 2, Block 3, Moody Addition, City and County of Midland, Texas; directing the Building Official to amend the Fire District Map; containing a cumulative clause; and containing a savings and severability clause.

- ❖31. Consider an ordinance of the City of Midland, Texas, adopting the Midland Smart Downtown Plan as authorized by Chapter 213 of the Texas Local Government Code.

MISCELLANEOUS

- 32. Consider a resolution authorizing the execution of an addendum to the agreement with the Museum of the Southwest to promote tourism and the convention and hotel industry in the City of Midland; and appropriating funds therefor.

- 33. Consider a motion making appointments to various Boards and Commissions.

- 34. Consider a resolution authorizing the Mayor and Wes Perry, Council Member At-Large, to negotiate and execute an employment agreement with Rick Menchaca; and authorizing and directing the Mayor and Wes Perry to accept and execute all documents, including all releases, on behalf of the City of Midland, Texas, necessary to implement the new employment agreement.

- 35. Consider a resolution appointing an interim City Manager; establishing a definite term; establishing compensation; defining the duties of the interim City Manager; and declaring an effective date.

- 36. At approximately 12:15 p.m. recess to 801 East Pennsylvania Street to hold opening ceremonies for the James M. Bradford Park.

- 37. Recess to the conference room for lunch.

38. Pursuant to Texas Government Code §551.101, the Council will hold an Executive Session which is closed to the public to discuss the following matters as permitted under the following Texas Government Code Sections:

Consultation with the City Attorney, Section 551.071

Discuss litigation involving the Midland-Odessa Transportation Organization; Cause No. CV-45,823 in the 142nd District Court of Midland County, Texas.

Deliberation Regarding Economic Development Negotiations, Section 551.087

Discuss business prospects that the City seeks to have locate, stay, or expand in or near the City of Midland, Texas, and discuss possible incentives.

Personnel Matters, Section 551.074

Deliberate the employment, evaluation, reassignment, and duties of the City Manager.

Deliberate the appointment, employment, compensation, and duties of the interim City Manager.

Respectfully submitted,

Rick Menchaca
City Manager